

**REMARKS/ARGUMENTS**

Claims 1, 3-7, 9-12, and 14-22 have been resubmitted. Claims 1, 3-7, 9-12, and 14-16 have been amended. Claims 2, 8, and 13 have been canceled. No new Claims have been added.

The Examiner rejected Claims 1, 3-7, 9-12, and 14-22 under 35 U.S.C. Section 103(a) as being unpatentable over Lippert et al. (U.S. Patent Application No. 2002/0024495 A1) in view of Task et al. (U.S. Statutory Invention Registration H1599).

**Examiner Interview**

On August 20, 2003, a telephone interview was conducted between the Examiner and Applicant's representative. Arguments regarding the amendment of the claims were presented. The references U.S. Patent Application No. 2002/0024495 A1 (Lippert et al.) and U.S. Statutory Invention Registration H1599 (Task et al.) were discussed. No agreement was reached.

**Lippert et al.**

Applicant agrees with examiner that Lippert et al. show a display apparatus that includes an infrared light source 80 that receives an image signal from an image source 78, an image intensifier tube 96 that outputs visible light to night vision goggles 72 for viewing by a user (paragraph [0013], [0014], and [0065]). Lippert et al. further discloses a first and a second infrared light source emitting modulated light of a first and second input wavelength (Abstract, Claim 1). However, Lippert et al. do not disclose the use of three separate infrared computer radiated terrain images or three separate 12-bit video signals to

simulate the direct viewing of bright lights as in Claims 1, 7, 12, and 15 (as amended) and as disclosed in paragraph [0012] of the present invention.

Applicant agrees with examiner that Lippert et al. disclose a display screen 1156 (Fig.12, paragraph [0067]), however, this display screen is coated with a wavelength-selective phosphor layer 1158 that converts the received light into a viewable image. Contrarily, the present invention discloses a high-resolution video camera to display the simulated image either to the night vision goggles or a display screen, wherein the display screen of the present invention can be any screen suitable for receiving video signals, such as a television screen, a computer screen, a projection screen, etc. (as in Claims 3 and 9, as amended, and in paragraph [0011] and [0013]).

Further, Lippert et al. do not disclose that the image generation can be done off-helmet separate from the night vision goggles as described in paragraph [0011] and [0015] of the present invention and as found in the Claims 1, 6, 7, 12, and 15 (as amended).

Therefore, Lippert et al. do not make obvious the present invention as in Claims 1, 3-7, 9-12, and 14-22 (as amended), either alone or with the other references of record.

Task et al.

Applicant agrees with examiner that Task et al. disclose a night vision surveillance system comprising video cameras 105 and 124 optically coupled to the output of image intensifier tubes 103 and 120 (Fig. 1).

Applicant respectfully submits, however, that Task et al. do not make obvious, either alone or in combination with Lippert et al., the use of three

separate infrared computer radiated terrain images or three separate 12-bit video signals to simulate the direct viewing of bright lights as in Claims 1, 7, 12, and 15 (as amended) and as disclosed in paragraph [0012] of the present invention. Task et al. disclose that the visible and near infrared energy from a night scene is portioned only in two spectral component regions (col.6, line 43-45).

#### Takagi

The Office Action notes Takagi (US Patent Application Publication 2002/0012008 A1) as prior art made of record but not relied upon as being considered pertinent to applicant's disclosure by showing various features of the invention.

Applicant respectfully submits the reference cited but not relied upon is not believed to anticipate or make obvious the present invention since the present invention does not claim to have invented the concept of using 12-bit video signals but is applying this concept to enable the approach to provide a high-fidelity simulated night vision goggle image.

#### CONCLUSION

Applicant would like to thank the Examiner for the telephone interview of August 20, 2003.

Reconsideration and withdrawal of the Office Action with respect to Claims 1, 3-7, 9-12, and 14-22 is requested. Applicant submits that Claims 1, 3-7, 9-12, and 14-22 are now in condition for allowance or in better form for appeal.

In the event the examiner wishes to discuss any aspect of this response, please contact the attorney at the telephone number identified below.

Respectfully submitted,

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on Sept 12, 2003

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